

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROSEMARY SAFFIOTI, individually and as
Personal Representative of the ESTATE OF
MICHAEL SAFFIOTI, et. al,

Plaintiff,

v.

SNOHOMISH COUNTY, a municipal
corporation, et. al.,

Defendants.

Case No. 2:14-cv-00361-TSZ

SECOND DECLARATION OF MICHAEL
HELD IN SUPPORT OF THE MOTION TO
QUASH SUBPOENA AND GRANT
PROTECTIVE ORDER

I, Michael Held, being over 18 years of age and otherwise competent to testify, hereby
declare under penalty of perjury pursuant to the laws of the State of Washington, that the
following is true to the best of my knowledge.

1. I am Deputy Prosecuting Attorney for Snohomish County and a licensed attorney. I
am the lead attorney of the Civil Division's Litigation and Tort unit. I supervise Tad Seder and
Hillary Evans Graber.

2. Attached hereto as Exhibit A are true and correct copies of the transcript of the
Deposition of Thomas Vernon.

1 DATED this 22nd day of May 2015.

2 MARK K. ROE
3 Snohomish County Prosecuting Attorney

4 By: /s/ Michael C. Held
5 Michael Held, WSBA No. 19696
6 Deputy Prosecuting Attorney
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CERTIFICATE OF SERVICE

I hereby declare I served a true and correct copy of the foregoing Declaration of Michael C. Held upon the person/persons listed by the method(s) indicated:

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8 I declare under the penalty of perjury of the laws of the State of Washington that the
9 foregoing is true and correct to the best of my knowledge.

10 SIGNED at Everett, Washington, this 22 day of May, 2015.

11 By: /s/ Robert Tad Seder
12 ROBERT TAD SEDER, WSBA #14521

EXHIBIT A

Thomas Vernon

May 7, 2015

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROSEMARY SAFFIOTI, individually)
and as Personal Representative of)
the ESTATE OF MICHAEL SAFFIOTI,)
deceased, and GIOVANNI SAFFIOTI,)
individually,)

Plaintiffs,)

vs.)

SNOHOMISH COUNTY, a municipal)
corporation, LENNON DEL ROSARIO,)
BRIAN QUINN, JEFFREY LANGSAM,)
LAUREN KOOIMAN, LYNDIA SIMON,)
and BETTY MARLIN, BETTY LUSK,)
and ARAMARK CORRECTIONAL)
SERVICES LLC, a limited)
liability company organized)
under the laws of the State of)
Delaware,)

Defendants.)

No. 14-CV-00361-TSZ

DEPOSITION UPON ORAL EXAMINATION

OF

THOMAS M. VERNON

Snohomish County Prosecutor's Office

3000 Rockefeller Avenue, 8th Floor

Everett, Washington

DATE: Thursday, May 7, 2015

REPORTED BY: Donald W. McKay, RMR, CRR, CCR 3237

Thomas Vernon
May 7, 2015

1 any recollection you might have had about the day that
2 Mr. Saffioti died? When is the first time someone
3 contacted you about that?

4 A. I was already retired. I can't remember exactly
5 when the contact --

6 Q. But you had already retired?

7 A. Yes.

8 Q. That was in August of 2014?

9 A. Um-hmm.

10 Q. So more than two years after Mr. Saffioti's
11 death?

12 A. Yeah.

13 Q. Who contacted you?

14 A. The prosecutor's office.

15 Q. Did you retain them to represent you in
16 connection with --

17 A. Yeah.

18 MR. SEDER: Mr. Vernon, one thing you're doing a
19 little bit is saying uh-huh, which is okay; but if you
20 say yes, the transcript will read a little better.

21 THE WITNESS: I'm sorry. I apologize.

22 BY MR. KELLY:

23 Q. Do you remember who from the prosecutor's office
24 contacted you?

25 A. I think it was Hillary.

Thomas Vernon
May 7, 2015

1 THE WITNESS: I got multiple calls --

2 BY MR. KELLY:

3 Q. Right.

4 A. -- from different modules all the time.

5 Q. Correct.

6 A. So no, it would be hard to remember one call.

7 Q. Particularly two years after the fact.

8 A. Right.

9 Q. So what was told to you and what you did, you
10 can't say.

11 A. No.

12 Q. So you don't have a specific recollection of
13 someone calling you and saying that there was even an
14 inmate in any of the modules that night that had any
15 type of an allergy.

16 MR. SEDER: Objection, form.

17 You may respond.

18 THE WITNESS: Could you repeat that.

19 BY MR. KELLY:

20 Q. You don't have any recollection, as you sit here
21 today, that you had a call, while you were working on
22 July 2nd or July 3rd, 2012, that there was a need for
23 any special diet or an allergy of any worker. Correct?

24 A. No.

25 Q. And you can't tell me anybody that you would

Thomas Vernon
May 7, 2015

1 there being a call that came in at 5:50 a.m. from
2 Del Rosario. Correct?

3 MR. SEDER: Objection, form.
4 You may answer.

5 THE WITNESS: I don't exactly recall getting a
6 phone call from him.

7 BY MR. KELLY:

8 Q. In fact, you testified that you have no
9 recollection on this day of getting a phone call from
10 anyone. Correct?

11 A. Well, I received phone calls, but I don't know
12 who they were all from anymore, no.

13 Q. As you're sitting here today -- which I
14 appreciate this is two years after -- you can't be
15 expected to remember everything -- you just don't
16 remember, one way or the other, who called or if anyone
17 called on that particular day.

18 A. Correct.

19 Q. So paragraph seven, you would agree that that's
20 not a true statement of your recollection.

21 A. Correct.

22 Q. Then the same is true with paragraph eight. You
23 would agree that that's not a true statement of your
24 recollection at the time that you signed this
25 declaration. Correct?

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